Convoy Dispatch

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975 — January/February 2006 # 232

What Happens When Elections Are Not Supervised!

Members Prove Chicago Local Rigged Election

"We knew the election was stolen from us. But I don't think we expected to get the black and white proof, and see how they did it," explained Richard Berg, leader of the New Leadership Slate in Chicago Local 743.

Berg referred to documents obtained by his attorney, Tom Geoghegan, from the U.S. Department of Labor showing that hundreds of ballots were diverted to the addresses of employers, stewards and even a Russian bath house that the union president frequents.

Those ballots were then voted and counted in the December 2004 local union election. The phony ballots, which were mailed in bulk to stewards, employers and cronies, kept Robert Walston in office instead of the New Leadership Slate, which would have won the election.

The election was already a "do-over" that Walston called after Berg won two months earlier by seven votes (despite the ballot box stuffing!).

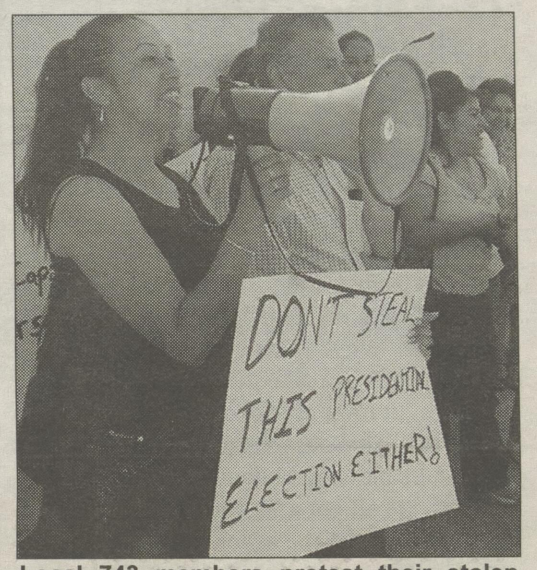
The local leadership was named as corrupt in the April 2004 report by former Teamster anti-corruption czar Ed Stier, before he resigned his position in protest. The officers also use Hoffa's political advisor Richard Leebove as a consultant.

The Department of Labor has gone to federal court against the Local 743 leadership to overturn the vote.

New Leadership Slate is also planning their own legal action in addition to the Department of Labor action. And they continue to build their support among the rank and file.

The New Leadership Slate plans to run a slate of delegate candidates to represent Local 743 with honest leaders at the IBT Convention.

With an independent Election Supervisor in place, they believe they can get a fair election there.



Local 743 members protest their stolen election in Chicago.

"I joined TDU because it's given me the information and skills I need to win better contracts, fight pension cuts, and work for change in my local. I ran for the TDU Steering Committee to build TDU and help other Teamsters achieve their goals. Join TDU today because when we all work together, we win."

Ernesto Perez
Local 396, Waste Management
Los Angeles

JOIN TDU

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

City _____ State _____ ZIP _____

Phone _____ Company _____

E-mail _____

❑ City ❑ Road ❑ Dock ❑ Clerical ❑ Warehouse ❑ Construction ❑ Production

Other _____

___ $40 one-year membership & subscription to *Convoy Dispatch*

___ $95 three-year membership fee

___ $25 for spouses, and Teamsters who gross less than $22,000 a year

___ $25 for retirees. Retired from Local _____

❑ Check or money order

MC/Visa/AmEx/Discover # _____ Exp. Date _____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential. TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers. Only funds from Teamster members and their spouses can be used for campaign purposes.

The Value of a Supervised Teamster Election

Teamster reformers have been fighting long and hard for fair and free elections. The story of Local 743 in Chicago shows what can happen when elections are unsupervised. But our 2006 election for Teamster President is a more positive story: see page 3.

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Letters From Our Members

Hoffa Has Failed

The International Union has failed in organizing the larger trucking companies. They have not negotiated the Central States Pension Fund into all existing contracts—and I'm sure there is plenty of interest in joining the Teamster retirement plan. It is time for new leadership. Tom Leedham will lead the Teamsters in the right direction.

Jerry Lamm
Local 24, Retired
Akron, Ohio

Menlo Clericals Get Raw Deal

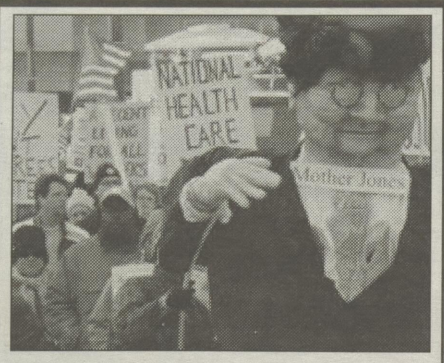
When you covered the situation at Menlo, you never mentioned the clerical workers at UPS Cartage Services Inc. These people are being forced out of their current jobs to take jobs in the small package division. They are subcontracting our clerical work to UPS Supply Chain Solutions (nonunion). This deal was recommended by the Teamsters. Why? I don't know, but we office people can take jobs in the small package division or take a buy-out, while they give our jobs with the Teamsters blessing to nonunion SCS.

Yes, we all got a $1,000 bonus. That was the price for the sellout, and we even voted on this deal. But there are 900+ Menlo Teamsters, and the vote was 436 - 133 in favor—why didn't 400+ vote? Maybe they didn't get their ballots. Most people I have spoken to didn't get them or received them one or two days before they were due back in Washington, D.C.

Jay Vessell
Local 851, Menlo/UPS CSI
Valley Stream, N.Y.

Rank and File Delegates For Union Democracy

Every five years delegates come together at our IBT Convention where all the rules of our union (IBT Constitution and more) are read out for delegates to vote on. In 1991, I was honored to be one of the first-ever elected delegates to the IBT Convention (Prior to 1991, the officers were automatically the delegates with no election).



Union members and supporters protested at Detroit's International Auto Show Jan. 8 to call attention to issues facing workers. The UAW reform group Soldiers of Solidarity hleped organized the rally and has been pushing their leadership to reject employer demands for concessions.

I was representing Local 63, one of the largest locals in our nation, as a rank and file delegate. Most of the delegates were officers elected by their members. They put their trust in those officers to do the right thing and vote in the best interest of all the members.

However, at the convention I watched as almost all the officers did not even listen to what issues were up for a vote. When it came time to vote they would look at a person standing up in front of each group who would tell the group to vote yes or no.

Rank and file delegates listened at all times each day to the issues as I did and got up on the floor speaking for or against. No one had to tell us how to vote.

This year I am voting to put Tom Leedham on the ballot for IBT General President and will make sure to put the proposal out at the convention to hold pension fund trustees across the nation accountable for their actions. Vote for delegates for Leedham, Strong Contracts and Good Pensions Slate!

Terry Mangrum
Local 600, Roadway Express
St. Louis

Where is the IBT?

I can't understand why my health insurance isn't what it used to be. I looked at UPS's profits for the third quarter and they were up. Why isn't the IBT doing anything for us? Is there something I missed, or is this normal?

I only joined about a year ago, and I'm still trying to learn everything. I'm a part-time worker in N.C. (right to work sucks), and there is no solidarity in my hub! It makes "enforcing" our contract very hard.

Management walks all over us, demanding us to show up to work at unreasonable hours, and forcing us to stay later and work harder than ever before. Why doesn't my local see this? I'm worried that the bureaucrats are ruining labor, and my chance to a fair work place. I hope y'all can win the international election, as well as enforce the National Master Agreement with UPS as it was done in 1997 with Ron Carey. I am right behind you!

A Proud Teamster,
Mike Dewan
Local 391, UPS
Raleigh, N.C.

Young Teamsters Needed in the Movement

Strength is in numbers. We need more TDU members. I'm retired, but these young members better join TDU, vote in all elections, and get politically involved. Time is running out. We have felons running our union and our country. Stand up and start fighting. Every vote counts, but hundreds count even more!

Ken Nowacki
Local 612, Retired
Birmingham, Ala.

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in November 2005 for one year. Our Rank & File Convention had 300 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BYLAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs should be elected by regions. No more trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he or she makes. No officer should make more than the highest paid working members in their jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for members, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

How to Contact TDU

We want to hear from you. Contact us at the addresses below for more information about TDU, or to send us articles or letters

National Office: P.O. Box 10128, Detroit, Mich., 48210. Phone: (313) 842-2600. Fax: (313) 842-0227. E-mail: tdudetroit@tdu.org Website: www.tdu.org

NY Office: 104 Montgomery St., Brooklyn, N.Y. 11225. Phone: (718) 287-3283. Fax: (718) 287-3287. E-mail: tdueast@tdu.org

E-Mail Your Letter

Visit our web page at **www.tdu.org** and use the link provided there, or e-mail your letter to **letters@tdu.org**.

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TDU International Steering Committee

Co-Chairs:
Dianne Bolton, Seattle Local 174
Joe Fahey, Milwaukee Local 200
Michael Ruscigno, New York Local 802
Michael Savwoir, Kansas City Local 41

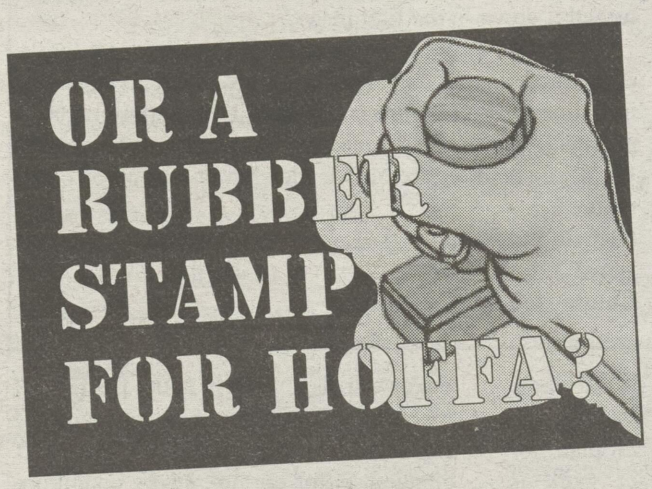
Organizer:
Ken Paff, Detroit

Trustees:
Willie Hardy, Memphis Local 667
Matt Latzo, Baltimore Local 639
Bob McNattin, Minneapolis Local 120

Members:
Richard Berg, Chicago Local 743
Nichele Fulmore, North Carolina Local 391
Frank Halstead, Los Angeles Local 572
Larry Macdonald, Atlanta Local 728
Ernesto Perez, Los Angeles, Local 396
Sandy Pope, New York Local 805
Mara Quiara, Puerto Rico Local 901

Alternates:
D. E. "Ed" Michael, Salem, Ill., BLET Div. 724
John Walsh, Seattle Local 767-M
Gary Brooks, Chicago Local 705

Will Your Local's Delegates to the Teamster Convention Be A Voice for Working Teamsters?



On June 26-30 some 1,700 delegates will meet in Las Vegas to chart the future of the Teamsters Union. They have the power to change our union for the better, or to maintain the status quo.

The convention, which is held every five years, can rewrite our Teamster Constitution to make our union more democratic and accountable. Or, they can rewrite it to make it controlled from the top.

They can nominate the Tom Leedham Strong Contracts, Good Pensions Slate, or they can rubber stamp the Hoffa administration's plan to give members only one choice (Hoffa) in the November Teamster election.

They can work hard for Teamsters. Or they can party in Vegas with members' dues.

Which Will it Be?

Many locals are holding elections for delegate in February. Members can send rubber stamps, or they can send independent delegates who will stand up for the members.

History is our guide. In 2001, most delegates never even opened their Constitution Report once, all week. They simply voted as they were told by the Hoffa "whips".

But a courageous minority were the ones who made history. They successfully nominated a reform slate, so members would have a choice in the one-member-one-vote election. They stood up to the hecklers, and called for an end to the waste of dues money; a membership bill of rights; and for a membership vote on Hoffa's dues hike.

In 1991, 1996 and 2001 it was the independent, reform delegates who made history. They won us the right to vote: the right to vote on delegates, the right to vote on contract supplements, majority rule on our contract votes and the right to vote on mergers. They nominated reform candidates to give Teamster members a choice.

What will happen at the 2006 Convention? In part, that's up to us. Choose wisely when you cast your vote for Convention Delegate in your local.

What's At Stake at the Teamster Convention?

▶ **A Choice in 2006**–Hoffa is trying to block all opposition candidates from getting on the ballots. Will your local elect delegates who will nominate the Tom Leedham Slate and give members a choice?

▶ **Pension Reform**–Hundreds of thousands of Teamsters have had their benefits cut under Hoffa. Will your delegates support reforms to hold pension trustees accountable to the members?

▶ **Strong Contracts, Not Dues Waste**–Will your delegates vote to eliminate multiple salaries for Teamster officials and dedicate the savings to organizing the nonunion competition and fighting for strong contracts?

▶ **No Dues Hikes**–Will your delegates vote to require a membership vote on future increase to the dues formula?

Save the Date!

"I want to thank TDU and the TDU Convention for a very eye-opening weekend in St. Louis [site of the 2005 Convention].

"We just merged our union into the Teamsters, and at our first big regional meeting, Teamsters officials spent three days telling local officers to 'look out for that TDU group.' I like to make up my own mind, so all this bad-mouthing compelled me to attend the convention to see for myself.

"What I learned was that TDU is a group of members who are proud to be members of the International Brotherhood of Teamsters. These are IBT members who have given their money, time, and effort to the education of their fellow members in both the workplace and their union.

"This was not a bash or beating up on the parent union. I believe all unions could learn something from the workshops that were put on. Workshops on organizing, legal rights in the workplace, training stewards, bargaining contracts, defending human rights and legal rights in the workplace. Isn't this why we joined the Union to begin with?

"There were other GCC/IBT members in attendance and I know they walked out of that meeting feeling the same way.

"Thank you again."

Joyce F. Hurley
GCC/IBT Local 1-B
Minneapolis

TDU Convention Sept. 22-24, 2006 Cleveland

Fair Rules Help Ensure Democracy

Why Teamsters Need Supervised Elections

The campaign between James Hoffa and Tom Leedham for the Teamster presidency is in the early stages, but already the value of having an impartial election monitor and court-approved Rules has been demonstrated time and again.

TDU members and other active Teamsters have caught the Hoffa administration, their allies and employers favorable to them in numerous violations of the Rules. Without this oversight, the incumbent administration would make the rules themselves and run the election. That is what the Hoffa administration wants to impose.

So far protests have been won covering important issues such as these:

- When the Hoffa administration transferred members out of Local 549 against their will to try to punish local president T. C. Bundrant for running on the Leedham slate, the Election Supervisor ordered that all members be restored to their local.
- When the Hoffa administration illegally used union funds to poll carhaulers on how they felt about Hoffa's leadership, the Election Supervisor ordered Hoffa to repay the union for that part of the poll, and make the results available to Leedham.
- When business agents appointed by Fred Zuckerman, the IBT Carhaul Director, intimidated members for receiving and reading reform literature, the E.S. ordered those agents to distribute a bulletin about their violation to the same members.
- When employers have denied parking lot access to Leedham supporters, the E.S. has intervened to correct each situation. No cases of employer access bias against Hoffa supporters have been reported.
- Other cases have moved against Teamsters tearing down pro-Leedham literature, overcharging delegate candidates for labels in a campaign mailing, an employer donation to the Hoffa campaign, directing pro-Hoffa local unions to make their plan for the delegate race available and biased literature displays inside union halls.

The bulk of these cases have been pursued and won by TDU counsel Barbara Harvey.

These decisions have served to prevent many more violations.

TDU also secured important changes to the proposed Rules, to make them more fair for all Teamsters: these Rules provide a good dose of accountability and democracy for all Teamsters, regardless of viewpoint.

Heat on UPS or Just Hot Air?

"Over 2,000 new jobs created" the *Teamster* magazine cover trumpets. Read on and we learn that these jobs came about as a result of the IBT "turning up the heat" on UPS over subcontracting and other violations.

Turning up the heat could be welcome, but is that really the case or is this just because of the International Union election this year? The contract has been in effect for three and a half years, so why has it taken so long?

Members, stewards and officers on the ground know the real story.

"FedEx is kicking UPS' butt in some corridors," Kansas City feeder driver Michael Savwoir explained. "This is about improved time in transit, that is where feeder jobs are coming from."

For some time now UPS has been shifting volume off rail and onto trucks. Rail congestion and delays are one reason for the move. Another reason is the trend within the trucking industry to offer shippers ever-tighter transit time guarantees. A royal battle has resulted, with freight and small package trucking companies competing over this profitable sector of the market.

In Atlanta, UPS is adding 60 feeder positions, most as a result of a shift from rail to truck. UPS is also shifting its feeder network in the Northeast. Work is moving from the Alexandria, Va., rail facility to Parsippany, N.J., where numerous feeder jobs will be created. Providence, R.I., is also picking up feeder positions.

In the Midwest, UPS has added sleeper and mileage runs in the Kansas City area, including a 682-mile turn to Dallas. The Earth City building in St. Louis is getting new mileage runs.

"While hard to track fully, subcontracting is basically the same," Savwoir said. "Members and stewards in many areas have kept the heat on UPS and the IBT about the problem for years. By getting better at documenting subcontracting, stewards in some areas are winning monetary settlements on grievances. But UPS still subcontracts."

Some subcontracting grievances have been won, and every victory is welcome. But it will take a lot more of that to end the subcontracting. In some areas UPS is routinely using Mail Contractors of America to move trailers from rail yards to UPS buildings. Grievances are still pending over this contract violation.

Sometimes what is missing tells an important part of the story. A related issue, not mentioned in the *Teamster* magazine, is how and when UPS plans to integrate nonunion Overnite Transportation into its operation. Trucking analysts note that in the long run, it makes no sense to keep the operations separate. FedEx has been very successful in integrating its freight, package and air operations.

The Teamster leadership needs a plan to bring all UPS divisions into our union.

The growing number of mileage and sleeper runs, and their effect on the whole feeder operation is another issue for the future. UPS has a long-term plan for transforming the way feeder work is done.

Global Warming 2006: UPS Teamsters need to brace themselves for a major warming trend in 2006. Hoffa's PR machine has started pumping hot air. The forecast for 2006, at least until the IBT election, is for the hot, sticky conditions to continue. The only relief will be an organized and informed Teamster membership.

"Turning up the heat? What I want to know is, who turned it down in the first place?

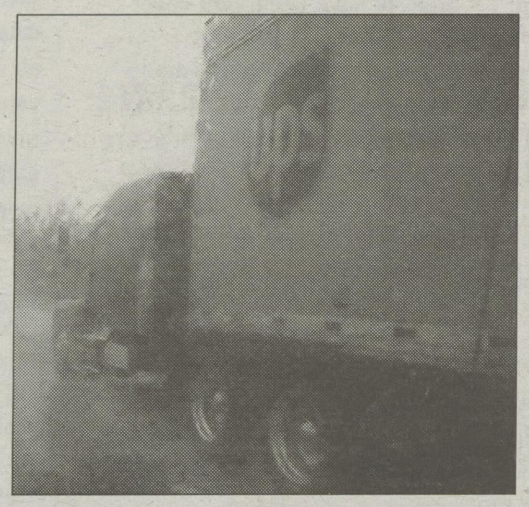
"It is time to put new leadership in that will not turn down the heat on companies like UPS, and then at election time pretend to turn it up again. UPS definitely has no intention of turning down the heat on UPS Teamsters. We need smart, aggressive leadership at the top of our union."

Nichele Fulmore
Local 391 Steward
Lumberton, N.C.

"Recently I traveled to North Carolina on vacation. I was dismayed to see nonunion contractors pulling UPS trailers.

"Imagine my surprise on returning home to get a copy of the latest *Teamster* magazine, with the cover all about turning up the heat on UPS. Subcontracting is still a big problem. The heat appears to be hot air."

Gary Brooks
Local 705 Retired
Chicago



UPS & Downs

UPS Dons Annual Grinch Costume

It seems that every year at holiday time UPS finds some special ways to break the contract. In Maryland, for example, the company is thanking workers for their hard work during peak season by continuing to work seasonals instead of part-time employees as driver helpers. Even though the seasonals are not needed, management is putting two people on trucks and cutting routes. In Sacramento, UPS pressured air drivers to work on Christmas Eve, even though they had worked their five-day week and put in over 55 hours. And upstate New York UPS Teamsters report that an arbitrator gave them a big chunk of coal for Christmas by ruling against the union in a case involving inside overtime. Article 22.3 workers were consistently denied overtime opportunities that were readily given to low seniority part-time workers. This has been one of UPS management's ways of trying to make the new full-time jobs unappealing.

UPS Store Owners Band Together

UPS Store owners want a union. Owners have started an association called the Brown Board Owners Association (BBOA). "The package handlers and loaders, as well as the pilots have joined together as a group to better represent their interests," their website states. "As a collective group, we, The UPS Store owners, by choosing to form an association, have the leverage to make sure our issues and concerns are heard and addressed."

The group claims that over 60 percent of UPS Stores are not profitable. They cite discounts given to on-line shippers as a problem: customers get the discount then drop off the ready-to-ship package at the UPS Store. UPS gets the business with a minimum of pick-up related costs. The store gets a high percentage of low profit producing packages.

Mediation Board Nixes Release of Pilots

On Dec. 28 the National Mediation Board rejected the Airline Pilots Association request to be released from mediation. The union has been in bargaining for three years. Under the Railway Labor Act, unions cannot strike until released from federal mediation. Nevertheless, the union has made it clear that a strike is an option.

Overtime for Article 22.3 Positions Shot Down

The 2002 contract would have been a good time to tighten up and clarify language regarding the relatively new Article 22.3 full-time jobs. UPS management tried to make the jobs as undesirable as possible. One of their tricks has been to deny overtime to 22.3 workers, giving it instead to lower seniority and lower paid part-time employees. Now an arbitrator, in a case pushed forward by members in upstate New York, has ruled that UPS can get away with this tactic. The same mistake can't be made in 2008: we need to clean up this and other problems around these jobs. By then there will be 20,000 Teamsters in Article 22.3 jobs, and we should make sure we get at least 10,000 more in the next contract.

DHL Teamsters Get the Shaft

In mid January the Eastern Region freight grievance panel awarded over $230,000 to Pittsburgh DHL drivers, but the company continues to defy the decision. Incredibly, it appears that the Hoffa administration is in cahoots with the corporation in refusing to comply with a binding decision and in undermining the union's own grievance procedure.

Thousands of DHL Teamsters are being used as pawns in a union power struggle, with control over the highest levels of the grievance procedure going to Tom Keegel and International Rep Brad Slawson of Minneapolis, away from the Freight Division of the IBT.

DHL management was not happy a few months back when they lost a grievance over their subcontracting of some Teamster work loading and unloading planes at the Pittsburgh airport. The company was ordered to pay some $90,000, split among several Teamsters who were deprived of overtime work by the contract violation.

Instead of paying up, the company went to Hoffa, who then allowed them to do an end run around the grievance procedure to get better deals. As a result, DHL will now be part of the MCLAC (Motor Carriers Labor Advisory Committee) grievance procedure, where management feels they will fare better. And at the national level, Slawson, the company's favorite Teamster leader, will be in charge. The company claims that Slawson told them he would reduce the grievance award down to $16,000.

When DHL refused to pay the $90,000 awarded, Pittsburgh Local 249 filed under Article 7 for penalty pay, which led to the additional award of $230,000. That penalty pay increases every day the company refuses to comply.

Who are Hoffa and Slawson working for? The members and the local unions that filed the subcontracting grievances, or management?

Contract Reopener April 1

The union leadership in 2003 negotiated a reopener clause in the contract for April 1, 2006. Now union officials such as International Vice President Chuck Mack are trying to use this good clause as a scare tactic against members, telling them the company will somehow use it to gut the contract. Since we have the right to strike in a reopener, concessionary talk should be completely off the table. Instead of just giving up and not reopening the contract, the union should be bargaining over important issues such as the status of the independent contractors used to get around the union.

If the union and company don't reopen the agreement, that will be a convenient excuse to not let the members vote on the change in the grievance procedure.

The DHL fiasco is one reason Hoffa has lost support not only from freight Teamsters but many officers and leaders within the Freight Division. A number of Teamster officers believe Hoffa has written off not only the Freight Division, but the future of the freight industry in our union.

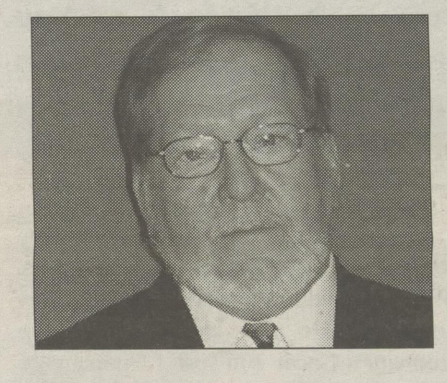
Meanwhile, the Hoffa campaign ad in the February magazine boasts that he "restored the hammer" to the freight grievance procedure. This is from the man who is helping management undermine already-won grievances, and whose only freight strikes ever called were the disasters at Overnite and Red Star. Apparently the hammer is for use against Teamster members and leaders who stand up to the company.

Carhaul Leader Joins Leedham Slate

John Thyer, the secretary-treasurer of St. Louis Local 604 and an experienced union leader, has joined the Tom Leedham Strong Contracts, Good Pensions Slate to help strengthen and rebuild the IBT Carhaul Division and the Teamsters Union as a whole.

"Under Hoffa, we've got a shrinking union and shrinking Teamster power," Thyer said. "Hoffa has lost touch with the members and cut local officers out of the loop."

Thyer has been outspoken against weak enforcement of the national carhaul contract, a lack of effective organizing, and concessions that the Hoffa administration has given the employers that violate the contract and have locals underbidding each other. Stewards and members from other locals often rely on him for help.



Thyer considered a run for Teamster President, but met with Tom Leedham and decided to team up with Tom and his slate. He's been a Teamster for 31 years and principal officer of Local 604 for 12 years. "I look forward to taking this campaign to the Teamster members. They know this union is headed in the wrong direction."

Freight Lines

Roadway Change of Operations

Roadway submitted a massive change of operations proposal that will be heard in early February. The plan calls for the closing of two break bulks in Hagerstown, Md. and Greenville, S.C. The company also plans to close the relay in N. Lima, Ohio. Hundreds of dock jobs are being relocated and handfuls of road drivers will end up in outlying end-of-line terminals. The proposed change is balanced, with gaining numbers equal to the losses. The entire change proposal is available at www.tdu.org.

Roadway management says they need to change to improve transit times in the service-competitive field by making more points with direct loads.

One question that has been raised: can all the proposed runs, such as Chicago Heights to Harrisburg, Pa. be done legally?

Rumors have it that the change may be deadlocked or postponed by the union in this IBT election year. But you can bet that it will happen, on schedule or later.

China Next for Yellow Roadway

According to CEO Bill Zollars, the largest trucking company in China has about 200 trucks. That "competition" looked so tempting that Yellow announced plans to set up shop in the People's Republic. Yellow's goal is to provide transportation services from Beijing to Boise and all points in between. There was no statement on whether or not the Chinese drivers would be union.

Canadian Carrier Expands Further into U.S. West

Vitran, an LTL carrier headquartered in Toronto, announced the purchase of Sierra West Express based in Nevada. This follows on the heels of another LTL acquisition in Kansas in May. The Teamsters represents some Vitran drivers in Canada but the majority of the company's terminals are nonunion. Sounds like another opportunity for the IBT to organize, using some solidarity between Canadian and U.S. Teamsters.

Exel Purchase Makes Deutsche Post Largest Transport Corporation in the World

Deutsche Post, owner of DHL Worldwide, recently concluded the $6.6 billion purchase of the logistics firm Exel. The combined company will make it the largest transport operation in the world with employees totaling 500,000 and annual sales of $65 billion.

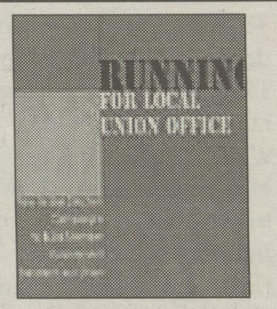
Does this say that DHL in the U.S. should be unionized wall-to-wall?

Trucking Revenues Increase Highest in Six Years

The Census Bureau reported a 10.4% increase in trucking revenues in 2004, up to $186 billion, up from $168.5 billion in 2003.

Running for Delegate?

Running for Local Union Office



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TRUTH SQUAD & SPIN STOPPER

Unmasking Hoffa's Lies on Organizing & Employer Funding

It's the first rule of politics. When you can't run on your record, you lie, spin and go negative.

Hoffa campaign operative Richard Leebove has made millions off of Teamster elections with his lies and distortions. And he's at it again in this month's *Teamster* magazine.

Under Hoffa, the Teamsters Union has lost over 100,000 members.

To cover for his failures, Hoffa's campaign operatives lie about Hoffa's organizing failures and distort Tom Leedham's record.

The Truth Squad is here to present Teamster members with the facts so you can cut through the spin and make up your own mind.

In the February *Teamster* magazine campaign "battle pages" Hoffa brags, "We have added nearly 200,000 new members." He also charges that Tom Leedham's Local 206 lost 17 percent of its membership over the last five years because of decertifications. Both claims are outright lies.

The Truth Squad is here to present Teamster members with the facts so you can cut through the spin and make up your own mind.

Membership Loss Under Hoffa

- The Teamsters Union has lost over 100,000 members since Hoffa took office.
- In the mid 1990's, before Hoffa, the Teamsters Union reversed a 16-year decline in membership in the mid-1990s by launching aggressive organizing campaigns.
- When Hoffa pushed through the biggest dues increase in Teamster history, he nearly doubled the International Union's income. But Hoffa has failed to use these new resources to organize and grow our union.
- The membership additions under Hoffa have come through mergers not organizing. Three mergers added 140,000 members to our union, inflating Hoffa's numbers and covering for the lost Teamster members since Hoffa took office in 1999.

Source: U.S. Department of Labor LM-2 Reports filed by the Hoffa administration.

The Facts: Local 206 Membership

- Like most Teamster locals that are not predominately UPS or public sector locals, Local 206 has lost members due to changes in the U.S. economy. More than 90 percent of Local 206's membership loss is due to companies closing down or moving to another local jurisdiction.
- Much of the Local 206's membership "loss" came when Food Service of America, moved into a neighboring local union's geographic jurisdiction. These members are not "lost." They are proud Teamsters in Local 324.
- The Hoffa administration has failed to help Teamster locals to organize and grow—despite the largest dues increase in Teamster history. Hoffa's own home Local 614 has suffered a double-digit membership decline.

Tom Leedham is running for General President to reinvigorate Teamster organizing. Leedham will rebate money to Teamster locals to help them organize the nonunion competition.

Unlike Hoffa, Leedham will take responsibility for rebuilding Teamster organizing—not pass the buck to Teamster officers and blame them for our union's membership losses.

Employer Donations—A Big Lie

In the same Teamster magazine campaign ads, Leebove and Hoffa claim that the Tom Leedham Strong Contracts, Good Pensions campaign is "linked to employer funding."

This is another outright lie.

Accepting direct or indirect employer contributions is a blatant violation of Federal Law and the IBT Election Rules.

If Hoffa had any evidence to back up his bogus claims, he would immediately file a charge with the Teamster Election Supervisor and the Department of Labor.

But Hoffa restricts his charges to the *Teamster* magazine. Why? Because his claims are campaign propaganda and nothing more.

Leebove should know all about employer contributions. The Election Administrator expelled him from the 1998 campaign for making an illegal $167,000 contribution to Hoffa. Leebove was suspended from the 2001 campaign for hinting to employers that they should donate to Hoffa's campaign.

Source: Decisions of the Election Administrator.

Adapted from the Leedham Campaign website www.leedham2006.org

Two Very Different Campaigns

Leedham's Grassroots v

The campaign for Teamster president is starting to heat up—with the opposing slates employing competing strategies.

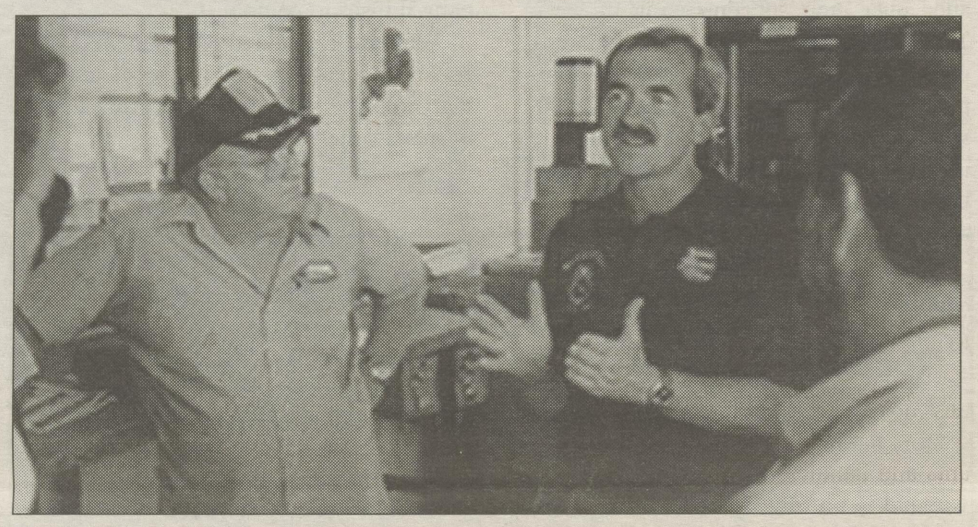
Both Hoffa and the Tom Leedham Strong Contracts, Good Pensions Slate have campaign pages in the February *Teamster* magazine and on their websites. But the similarity ends there.

While Hoffa is struggling to keep defectors in the fold and put a glossy sheen on his failed record, Tom Leedham is drawing in new support and building a grassroots network of Teamster campaigners.

Leedham has built on the vote he got in the last election—picking up support from Teamster members and officers who are disaffected with Hoffa because of the decline in Teamster power during his seven years in office.

Hoffa may be his own worst enemy. He is haunted by his broken promises of "No Dues Increase," "25-and-Out," and "No Corruption"—and by his broken pledge that "Health and pension benefits are guaranteed" under the master contracts he negotiated.

The Hoffa "Unity" that was formerly rock solid among Teamster officials is cracking, if not crumbling. It took an all-out pressure offensive to hold together his Unity Slate when Freight Director Tyson Johnson launched an aborted third slate in December. While Johnson is back



Tom Leedham talking with members to learn their concerns.

Tom Leedham Slate's Strong Contracts, Good Pensions Tour

Tom Leedham and other candidates are hitting the road to hear from Teamster members and share ideas for rebuilding our union's power.

Do you want to talk with candidates about plans for winning strong contracts? Strengthening contract enforcement? Fighting cuts in Teamster pensions and benefits? Organizing the nonunion competition?

Then look for a Tom Leedham Campaign event in your area. A partial listing of tour dates with the featured candidates appears below.

Boston: Sunday, Feb. 19
Tom Leedham, General President
Sandy Pope, Vice President At-Large
Christopher Roos, Eastern Region Vice President

Chicago: Saturday & Sunday, March 4-5
Tom Leedham, General President

Hartford, Conn.: Saturday, Feb. 18
Tom Leedham, General President
Sandy Pope, Vice President At-Large
Chris Roos, Eastern Region Vice President
Eunice Rodriguez, Leedham Slate

Memphis: Sunday, Jan. 29
Scott Webber, Vice President At-Large
T.C. Bundrant, Southern Region Vice President

Milwaukee: Saturday, Feb. 4
Sandy Pope, Vice President At-Large

Minneapolis/St. Paul: Sunday, Feb. 19
Dan Scott, Vice President At-Large

Nashville: Saturday, Jan. 28
Scott Webber, Vice President At-Large
T.C. Bundrant, Southern Region Vice President

New York City: Friday, Feb. 17
Tom Leedham, General President
Sandy Pope, Vice President At-Large
Eunice Rodriguez, Leedham Slate

Philadelphia: Sunday, Feb. 12
Sandy Pope, Vice President At-Large

Seattle: Sunday, Jan. 29
Tom Leedham, General President
Dan Scott, Vice President At-Large

Worcester, Mass.: Saturday, Feb. 18
Tom Leedham, General President
Sandy Pope, Vice President At-Large
Chris Roos, Eastern Region Vice President

For more information, or to set up a meeting with a candidate in your area, contact the campaign at (718) 287-6156 or LeedhamSlate@gmail.com.

s v Hoffa's Glossy Ads

in the fold, other key Hoffa supporters have turned against him or dropped away from active campaigning.

Third Slate?

Johnson, who announced his candidacy for Teamster President on Dec. 12, abandoned that campaign just two weeks later. Reportedly Johnson will retire from office. At the eleventh hour, Hoffa vice presidents and consultants convinced Johnson to drop out, all using the argument that Leedham would surely win a three-way race.

Some Teamster officials would rather let the union continue to go downhill under Hoffa than risk a Leedham victory.

But many officials, including several in the Freight Division, refuse to come back to Hoffa. Some allies who helped put Hoffa in office are no longer with him. Even his former Executive Assistant, Carlow Scalf, is working against Hoffa's reelection. Former Freight Director Phil Young, International Vice President Tom O'Donnell, New Jersey Joint Council President Don DiLeo, among others, have split from Hoffa.

To many officers it looks like Hoffa has not only abandoned Teamsters in freight, but he relies more on his consultants and handlers than the local officers who put in power.

Whether these developments will lead to a third slate, a coalition with Leedham, or something else, remains to be seen. In any event, they show that Hoffa has lost key support, at the same time that Leedham is reaching out to draw leaders who formerly backed Hoffa into the campaign and slate.

With no positive record to run on, Hoffa's strategy is to go negative. Hoffa's campaign ads call Leedham a "loser," because Leedham lost to Hoffa in 1998 and in 2001.

But that approach may fall flat: thousands of Teamsters feel like they have been the big losers under the Hoffa administration.

Since Hoffa took office, our union has lost 100,000 members; hundreds of thousands of Teamsters have had pension and health benefits cut; and many officers feel Hoffa has lost touch with local officers and lost control of our union to inside-the-beltway consultants.

PR Campaign vs Ground War

The Hoffa Campaign will rely on a big fundraising advantage to bankroll a glossy PR campaign. Hoffa pays some 148 multiple salaries to Teamster officials—not including the hundreds more on the Hoffa payroll, most of whom can be made to pony up big bucks to his campaign.

Leedham is relying on grassroots fundraising to finance a "ground war" campaign based on Teamster-to-Teamster outreach.

The campaign has launched a Strong Contracts, Good Pensions tour that is putting candidates in the field to talk with Teamsters about what it will take to rebuild our union's strength.

Hoffa can only buy another term of office if we let him. The PR attacks of Hoffa's consultants are no match for Teamster members if we're organized in the terminals, hubs, factories, warehouses, job sites, and other Teamster workplaces.

The Leedham Campaign is building a Teamster army. It's time for you to enlist.

Members Turn Around on Hoffa

"I voted for Hoffa in 2001. He told us that our pension would be secure. Thanks to him, we're looking at pension cuts, and we're losing our power in freight.

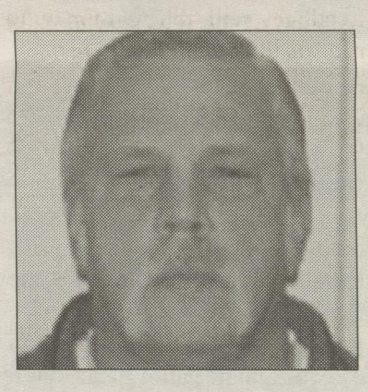
"Now I'm running for delegate to support the Tom Leedham Strong Contracts, Good Pensions Slate."

Mike Dollar, Yellow
Local 728, Atlanta

"I used to support Hoffa. He promised Local 237 he would fight for decent wages, secure jobs and better pensions. But Hoffa was all talk. He wouldn't fight. He left us for years without a contract.

"We need people who will fight, not fill their pockets. We need Tom Leedham as our General President."

Sgt. Bernadette Bradley
Local 237, NYC Health Dept Police



"The mechanics in our shop campaigned hard for Hoffa five years ago. We will not do that again! He gave away too much of our Health and Welfare benefits. hoffa said we were just a handful of mechanics. He doesn't understand: we see every driver. Word gets around real quick.

"This time, I will be a handful! Check out our new website: www.utah2006.com **U**nited **T**eamsters **A**gainst **H**offa"

Joel Dunn, Cassens, Local 299, Detroit

Tom Leedham Gear Now Available!

Pocket T-Shirts
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Back: Vote Leedham, Dump Hoffa
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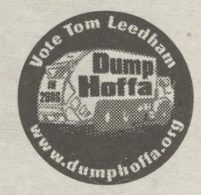

Buttons and Stickers
"Tom Leedham Strong Contracts Good Pensions"
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Stickers: $12 for 100
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Bumper Stickers
$5 for 10

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_____	____	Black T-Shirt	$15 ($12 in bulk)	_____
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_____		Dump Hoffa Buttons	$8 per 10	_____
_____		Leedham Buttons	$8 per 10	_____
_____		Dump Hoffa Stickers	$12 per 100	_____
_____		Leedham Stickers	$12 per 100	_____

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*Required for verification purposes. Only funds from current Teamster members and their spouses can be used for campaign purposes.

Return to: Tom Leedham Campaign, 320 7th Ave #338, Brooklyn, NY 11215
(718) 287-6156, LeedhamSlate@gmail.com

Local 82 Teamsters Propose Membership Bill of Rights

Teamster Local 82 members in Boston will vote in March on a series of reforms that amount to a membership "Bill of Rights." The reforms were submitted as amendments to the Local 82 bylaws.

Dozens of members signed petitions in favor of bylaws reforms that would establish the following new rights for Local 82 members:

- The right to elect shop stewards
- The right to elect rank-and-file representatives to contract negotiating committees
- The right to an informed vote on contracts, including the chance to review all proposed contract changes in writing before any vote
- The right to fair local union elections that are conducted by mail ballot and supervised by an impartial outside agency
- The right to a membership vote to approve proposed officers' salaries
- The right to approve or veto who the local executive board names as trustee to the union's benefit funds

"We want to put more decisions in the hands of the members," said Joe Wright, a commercial mover at Casey & Hayes who helped introduce the reforms. "When people feel like they're just being dictated to, they stop coming to union meetings. We want members to feel like their voice counts so they get involved and our union gets stronger."

"We want to put more decisions in the hands of the members. We want members to feel like their voice counts so they get involved and our union gets stronger."

While the proposed changes would establish sweeping new rights for Local 82 members, these rights are hardly new to the Teamsters Union. Each of these rights is already exercised by Teamsters in other locals that have adopted these practices as part of their bylaws. Every Teamster local has bylaws which function as the local's constitution. Locals are also governed by the International Union Constitution which trumps all bylaws.

The right of Local 82 members to approve or veto the union's trustee to benefit funds is being proposed just as a scandal is coming to light involving the failure of current fund trustees and local union officials to secure proper payment into the funds.

When a Local 82 employer failed to make more than $200,000 in benefit contributions, lack of action by Local 82 officials left it up to the Massachusetts Attorney General to pursue the unpaid funds. In January the Attorney General won a settlement that forced the trade show employer Will-Work Inc. to pay $260,000 in back benefits and interest. Under the terms of the settlement, the recovered funds will be paid directly to the employees, which will drain negotiated contributions from the Teamster funds.

The amendments were introduced at the January membership meeting. They will be read again at the February meeting and voted on at the March membership meeting.

Members' Proposed Bill of Rights

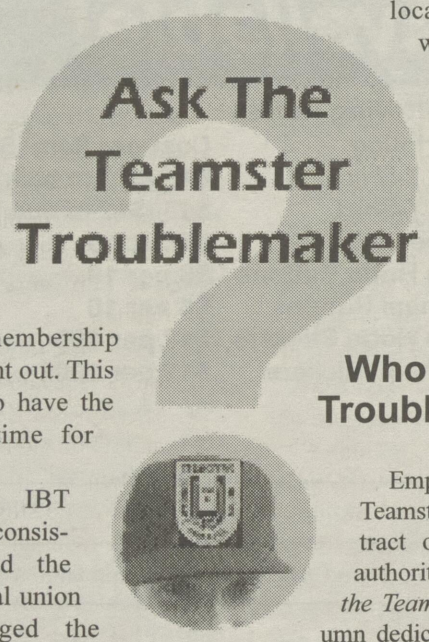
- ✓ The right to elect shop stewards
- ✓ The right to elect rank-and-file representatives to contract negotiating committees
- ✓ The right to an informed vote on contracts, including the chance to review all proposed contract changes in writing before any vote
- ✓ The right to fair local union elections that are conducted by mail ballot and supervised by an impartial outside agency
- ✓ The right to a membership vote to approve proposed officers' salaries
- ✓ The right to approve or veto who the local executive board names as trustee to the union's benefit funds

Ask the Teamster Troublemaker

Pays Dues, Wants to Vote

"In Minneapolis Local 120, many construction Teamsters lose their right to vote because they are on withdrawal card. I have introduced a change to our local bylaws at the January general membership meeting to have the local union elections changed from November to September. They should not lose that right, after paying their dues for nine or ten months out of every year, because of the kind of job they work in. Can this be changed at the IBT Convention?"

Would-Be Voter



Dear Voter,

Many local union bylaws specify which month to hold an election, and local union bylaws can be amended by membership vote, just as you point out. This allows each local to have the most appropriate time for their elections.

Unfortunately, IBT President Hoffa has consistently circumvented the specific dates in local union bylaws and changed the month of the election in local unions headed by his political allies. It may be necessary to change the IBT Constitution to state that local union bylaws can specify the date or month of elections, and that date or month shall be honored.

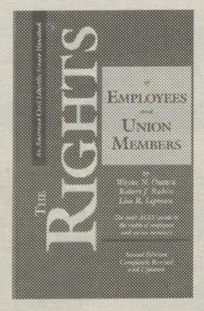
Manipulation of the time and method of holding local union elections can undermine membership participation and democracy. For example, Louisville Local 89, which includes some 7,000 UPS Teamsters, held a walk-in election eight days before Christmas, at UPS peak season for overtime, and when no UPS workers are allowed to take vacation time to campaign.

It is possible to amend local union bylaws to require mail ballot local union elections, and members in many locals have done so. Also, when locals do pull tricks like Local 89 leaders did, the General President has the power to direct local unions to use mail balloting. General President Ron Carey routinely did this, to prevent such dirty tricks.

Who is the Teamster Troublemaker?

Employers are quick to label any Teamster who sticks up for the contract or questions management's authority as a "troublemaker." *Ask the Teamster Troublemaker* is a column dedicated to spreading the information that "troublemakers" need to enforce members' rights and build a stronger Teamsters Union.

If you have question or comment for the Teamster Troublemaker, call TDU at (313) 842-2600 or email us at info@tdu.org.



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Gate Gourmet Teamsters Fight Back

Big Contract Concessions

Gate Gourmet workers from around the country have had their wages, benefits and job security decimated by a horrible arbitration decision. Some of them are fighting back.

The decision cuts wages by 6.5 percent and reduces sick leave, holidays, vacations, and eliminates union health care and pension plans.

Teamsters who previously had union benefits are forced into a company health plan that costs $363 per month for families. For many workers who don't make much over $8 per hour, this means 25 percent of their income will go to paying for coverage, or they give up health care.

The jobs of thousands of Teamsters have literally been destroyed. The International Union negotiated a deal to send all contract issues to an arbitrator, who then handed down this concessionary national contract.

No Gate Gourmet Teamsters were allowed to vote on their contract, or on the decision to hand bargaining off to an arbitrator.

"We never would have settled for this contract. It's despicable." —Luis Ramos, Local 572

Members in Los Angeles Local 572 are furious at the International."We never would have settled for this contract," says shop steward Luis Ramos, one of the leaders organizing the fightback. "We voted to reject a similar offer by 90 percent and now with no vote we are stuck with this contract. The International leaders should be ashamed of themselves. By agreeing to arbitration our leaders took away all our power to fight and have left us hung out to dry. Now we are being told there is nothing we can do. It's despicable."

"Even though the local officials are telling us there is nothing we can do and to go find jobs elsewhere, we are organizing to fight back," says Raul Nieves. "We are refusing to take the concessions laying down."

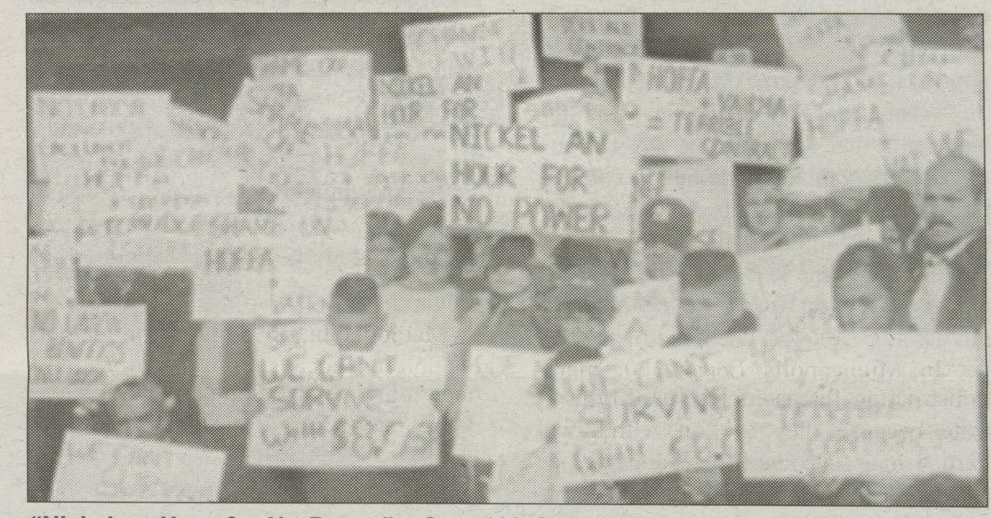
Instead of giving up like the International and local leadership, the workers have decided to resist. One of the first things they did was inform other members of their fight by demonstrating at the Local 572 membership meeting on Jan. 22.

"At first the officials made fun of us and tried to push us away from the entrance, but when more workers kept coming they stopped laughing and got very upset," says Concepción Espinosa.

"We submitted a resolution condemning the arbitration decision and demanding the leadership fight for a fair contract," says Gerardo Rosales.

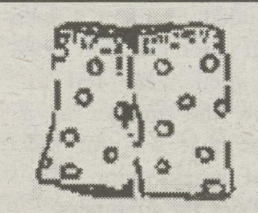
The next day 100 Gate Gourmet workers demonstrated and handed out leaflets at the Los Angeles airport protesting the cuts. While the demonstration was taking place, Martin Nuñez and other workers were speaking to the airport commission about the cuts, pointing out that they violated airport living wage requirements.

Says Gate Gourmet worker Ana Campos, "We know it's a tough battle but we are willing and ready to fight."



"Nickel an Hour for No Power": Over 100 Gate Gourmet workers showed up at the Local 572 meeting carrying this and other signs to protest the handling of their master agreement, in which huge concessions were given to the company. The slogan refers to Hoffa's claim that the largest dues hike in Teamster history would restore Teamster power.

Labor Shorts



Lack of Information Keeps Soldier in the Dark

Package car driver Dean Davis was mobilized to Iraq in 2003 and returned back to work at UPS in Lumberton, N.C. in September 2005 to find Local 391 was having an election. Major Davis wanted to be a part of this process, but he did not receive a ballot. It turned out that Major Davis was on withdrawal status and, like so many other members in this local, he did not realize that he had to call the local once he returned to work. The local had failed to inform him that he needed to fill out additional paperwork to be returned to his status as a member in good standing, and he was therefore ineligible to vote. Keeping the members fully informed of their rights and duties would have prevented the problem for Davis and other returning soldiers.

Access to Charges Against Officials

This new website, www.irbcases.org, allows you to find decisions and actions taken by the Independent Review Board (IRB) against Teamster officials. You can, for example, enter the last name of an official and find any relevant IRB decisions.

New General Counsel Is a Switch Hitter

James Hoffa has appointed his friend Brad Raymond of Farmington Hills, Mich. to be the IBT General Counsel. Raymond replaced Patrick Szymanski as the top Teamster lawyer. Szymanski is now the General Counsel of the Change to Win Federation.

Raymond is unique among the General Counsels of major unions, in that throughout his career he has represented corporations against unions, including the Teamsters Union.

In 1996, when Hoffa ran for Teamster president, TDU revealed that Raymond represented his campaign essentially for free, at the same time that his firm represented major Teamster employers, such as Waste Management, Foodtown, and Thorn Apple Valley. His firm earlier represented "BLAST," a goon squad formed by IBT President Jackie Presser to violently attack TDU supporters and other Teamsters. TDU later revealed that Raymond, when bargaining for his employer client, adamantly refused to sign any contract with Teamster Local 528 that included a union check-off provision.

We trust that he will stick to representing Teamsters, and not Teamster employers, in his new position. Teamster members deserve no less.

Film Reveals Abuse of Workers

by Mike Ruscigno
Local 802, New York

This is my first-ever movie review, and ladies and gentleman this film is a doozie! *Wal-Mart: The High Cost of Low Price.*

Since you are reading *Convoy* you may already know some information about Wal-Mart, but after seeing this movie you will know ALL the dirt! For a small investment of $12.95 and 98 minutes of your time you can be a part of stopping this huge worldwide greed machine. This film was created to get the word out to our friends and families about the true facts on Wal-Mart, not just the low prices and smiley face on TV.

One of the best parts is when they interview ex-managers of Wal-Mart who have done such evil things towards the workers and society that they must confess so as not to take it with them to their graves. For example, they would ride through town and bet how long each Mom & Pop store would last before going under.

You see how towns brace and prepare to battle the onslaught of the huge greed machine Wal-Mart, but then find their own state and federal taxes are used against them.

This is a true story that proves we all must work together and stop this corporate dog and tame it with the power of the union.

Be sure to go to www.walmart-movie.com or call 800-525-8212 to buy the movie or find film screening nearest you. You will never shop the same way again. Also go to www.walmartworker-srights.org to hear the Garth Brooks tune "I've Got Friends with Low Wages."

Teamster Movers Defeat Local 814 Merger Attempt

Members say local needs new direction, but not Local 810

Commercial movers and art handlers in New York City have defeated an attempt to merge their local union. Members voted by 60 percent against the proposed merger—despite a barrage of mailings by both Local 814 and Local 810 officials trying to sell it.

The merger had the endorsement of New York Joint Council 16. But it did not have support of the Local 814 membership. The no vote shows once again the value of the right to vote on mergers. TDU members proposed this constitutional reform for years at Teamster Conventions before it was finally approved in 2001.

"What Local 814 needs is new, strong leadership that will fight for strong contracts and organize the nonunion competition—not a merger into a weak local with a history of corruption," said Walter Taylor, one of the leaders of the Vote No effort. "Now that we've defeated this merger, hopefully we can get down to the real business of rebuilding union strength in the moving industry and for all of our local's members."

Teamster Local 814 members in New York City had a tough year in 2005. First they were hit with concessions and pension cuts after the IBT gave them no strike support in a fight with the Movers Association. Then they were blindsided with a proposed merger into Teamsters Local 810—a local with a long history of corruption scandals, bloated officers' salaries, and embezzlement.

"We don't want more business as usual. We want real change and we're standing up for it." —Billy Esser Sr., Local 814

The anti-merger effort was led by the same members who formed a rank-and-file network to fight for a strong contract during last summer's negotiations. Some Local 814 officials also opposed the merger, including George Daniello who had ambitions of his own to head the local.

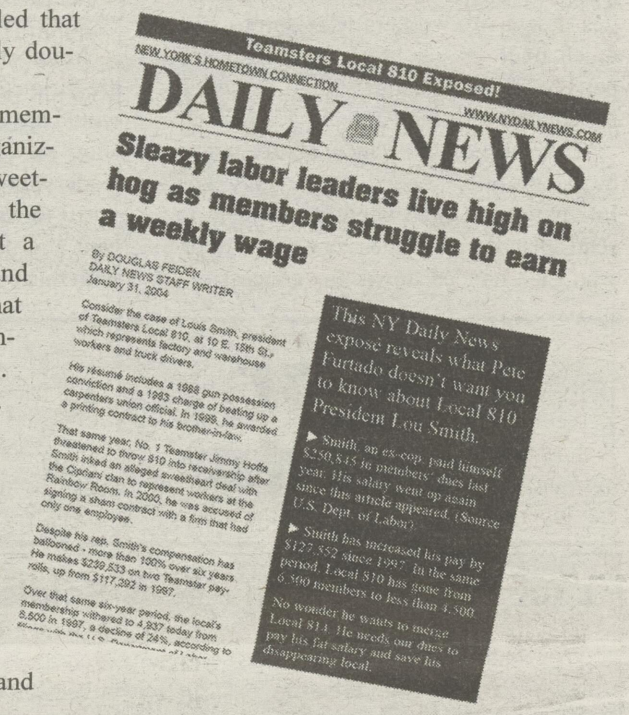
Daniello got his wish. In the wake of the merger defeat, Local 814 President Pete Furtado has retired and Daniello has taken his place.

To defeat the merger, members distributed informational leaflets about Local 810's record of corruption and dues waste and it's weak record on organizing—an issue that is critical to the future of Teamster commercial movers whose wages and benefits are being undermined because of growing nonunion competition.

The committee also revealed that president Lou Smith has nearly doubled his salary to $244,845.

Local 810 has lost 2,000 members since 1997. The only organizing Smith is known for is a sweetheart contract he signed with the Cipriani family to undercut a strike by the Hotel and Restaurant Workers Union. That move landed Smith a suspension from union office in 1999.

"The men were fed up. They saw this merger as a dues grab that was for the benefit of certain union officials and not the members," said Billy Esser, Sr., a Local 814 Teamster at Hanover Moving and Storage. "We don't want more business as usual. We want real change and we're standing up for it."


Teamsters Local 810 Exposed!

NEW YORK'S HOMETOWN CONNECTION

DAILY NEWS

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Sleazy labor leaders live high on hog as members struggle to earn a weekly wage

By DOUGLAS FEIDEN
DAILY NEWS STAFF WRITER
January 31, 2004

Consider the case of Louis Smith, president of Teamsters Local 810, at 10 E. 15th St., which represents factory and warehouse workers and truck drivers.

His résumé includes a 1988 gun possession conviction and a 1983 charge of beating up a carpenters union official. In 1999, he awarded a printing contract to his brother-in-law.

That same year, No. 1 Teamster Jimmy Hoffa threatened to throw $10 into receivership after Smith inked an alleged sweetheart deal with the Ciprianis clan to represent workers at the Rainbow Room. In 2000, he was accused of signing a sham contract with a firm that had only one employee.

Despite his rep, Smith's compensation has ballooned - more than 100% over six years. He makes $239,533 on two Teamster payrolls, up from $117,292 in 1997.

Over that same six-year period, the local's membership withered to 4,937 today from 8,500 in 1997, a decline of 24%, according to

This NY Daily News exposé reveals what Pete Furtado doesn't want you to know about Local 810 President Lou Smith.

- Smith, an ex-con, paid himself $250,845 in members' dues last year. His salary went up again since this article appeared. (Source U.S. Dept. of Labor).
- Smith has increased his pay by $127,552 since 1997. In the same period, Local 810 has gone from 6,500 members to less than 4,500.

No wonder he wants to merge Local 814. He needs our dues to pay his fat salary and save his disappearing local.

The Local 814 merger was defeated because rank-and-file members put in action an organized plan to inform and unite the local's membership. That same combination of rank-and-file organization and unity is what it will take to rebuild Local 814 as a union that delivers strong contracts and good benefits.

Membership Action, Community Alliance Are Key in Fight for Teamster Dock Jobs in Brooklyn

Caption—Local 805 Teamster members are fighting to save union jobs in New York City. Local 805 members at American Stevedoring stand shoulder-to-shoulder with Local 805 President Sandy Pope and the union's Executive Board at a press conference that exposed the city's attack on union jobs.

When real estate developers and New York City bureaucrats threatened good union jobs, Teamster Local 805 sprang into action. They are fighting to save 75 Teamster jobs, and already have shown that we have political clout when members mobilize and build community alliances.

Real estate developers want to convert the last working port in Brooklyn into a tourist destination, and replace union longshore jobs with a marina and pub—and the city has been doing their bidding.

In January, the Port Authority refused to allow a ship carrying $20 million worth of cocoa beans to dock at a Brooklyn pier where Teamsters could unload the ship. The Port Authority forced the cargo ship to anchor off-shore for days.

The standoff threatened to eliminate 75 Teamster jobs. The Teamsters turned up the heat on the Port Authority.

A joint press conference of Local 805 leaders, members, and concerned political leaders put headlines in the *New York Times, Post*, and *Daily News*, shining an embarrassing spotlight on the Port Authority.

Standing on the Brooklyn piers, Local 805 President Sandy Pope called the blockade against the ship a "plot to sabotage" good union jobs in Brooklyn. Congressional representative Jerrold Nadler (D-Brooklyn) denounced the Port Authority's actions as outrageous.

City Council member David Yassky said the attack on union jobs in the port "would be a real hit to the city's economy and the city's job base."

Faced with public scrutiny, the Port Authority relented and allowed the ship to dock in late January. The 75 Teamsters are back to work unloading chocolate on the Brooklyn piers.

"We're really happy. It was gloomy before, but now we have some hope," said Local 805 shop steward Ian Forde. "People were jumping when they found out. They were smiling."

The threat to union jobs and the continued operation of the port continues. But now the Teamsters Union and the community have a fighting chance.

No Contract, No Peace!

A Guide to Running an Effective Inside Campaign Against the Employer

The following article is an excerpt from the new book Strikes, Picketing and Inside Campaigns *by Robert M. Schwartz.*

The article pertains only to private-sector workers covered by the National Labor Relations Act (NLRA). This information is the most up-to-date available, but because labor law changes frequently, unions should consult legal counsel in case a rule described below is eliminated or changed.

As the last minutes of a contract tick down with no agreement in sight, the union must consider its options. One is to strike. Another is to run an inside campaign, either while extending the contract or by working day-to-day without a contract.

Inside Campaigns

Inside campaigns have several things to recommend them. For one, activities such as handbills, rallies, off-duty picketing, and work-to-rule may force the employer to settle a contract. For another, the employer may respond to such activities by violating the NLRA. Such violations may give the union an opportunity to call an unfair labor practice (ULP) strike, in which employees are protected against permanent replacement.

An inside campaign may also provoke the employer into a lockout. It might sound illogical, but if you are going to hit the bricks anyhow, a lockout has advantages over a strike. Some states pay unemployment insurance to locked out workers and the employer will be barred from hiring permanent replacements.

Pitfalls of Working Without a Contract

Union security and dues checkoff. Union-security obligations—the duty to join the union within 30 or 60 days of hire—are unenforceable in the absence of an executed contract. Also, unless language in the expired agreement provides for the procedure to continue indefinitely, the employer can choose to stop making dues deductions.

Arbitration. With a few exceptions, the arbitration duty generally disappears during the without-a-contract period. For grievances over new matters, including discharges, the employer's only duty is to discuss the matter with the union and to supply information.

Death by 1,000 Cuts

The most successful inside campaigns employ a constellation of activities to increase tension and disrupt the employer. As explained by one organizer:

"The key is that you create a situation so that management, from the time they get up in the morning till the time they go to bed, they worry about what you're doing. And if you're doing a good job, they wake up with nightmares."

This section discusses tactics whose legality has been litigated at the NLRB.

Note: Two inside campaign pitfalls are partial and intermittent strikes. A partial strike occurs when workers slow production or refuse to perform expected tasks. An intermittent strike is a series of work stoppages intended to harass the employer into a state of confusion. Labor law does not protect partial or intermittent strikes—even if the contract had expired. The employer may fire employees who take part.

Handbills. Handbills and newsletters build unity and rankle management. Handbills can express strong opinions, including accusations of mismanagement and strong-arm tactics.

Unless it disrupts operations, an employer must allow handbilling before and after work and during breaks on outside areas such as parking lots, walkways, and steps. The employer must also permit handbilling in inside non-work or mixed-use areas such as cafeterias and smoking rooms.

At or away from the workplace, workers can handbill customers, the public, and other employees with appeals for support. If the union handbills at the location of another employer, it must avoid picketing or calls for a sympathy strike. It can display a stationary banner.

Rallies. A union can hold contract campaign rallies and informational meetings before work, after work, and during break times. Unless the event interferes with operations or causes disciplinary problems, the employer must permit employees to gather on parking lots and outside walkways.

Insignia. Employees can wear contract campaign insignia on hats, t-shirts, etc. Possible slogans: "No contract, no peace," "Fight for a fair contract," "Up your final offer." Cars may display signs in company parking lots.

Off-duty picketing. One of the most dramatic campaign tactics is off-duty picketing. (If an extended contract forbids picketing, this tactic will have to await expiration.)

Employees have a protected right to picket before and after their shifts and during breaks—even if operations are in progress. Picket signs should refer to the labor dispute.

Although it is not widely known, off-duty pickets have the right to ask customers, contractors, and delivery workers not to cross their picket line. Union drivers whose contracts permit them to respect "primary" picket lines can honor requests.

Off-duty picketing is guaranteed to set management's hair on fire, especially if outside personnel honor the line. Nonetheless, if done carefully, the employer cannot discipline workers for disloyalty, force employees to choose between picketing and working, lay off the individuals involved, or hire replacements.

Work-to-rule. In work-to-rule activity, employees scrupulously follow every order, policy, procedure, or standard issued by management for the performance of their jobs, especially safety and hygiene directives. No one works outside his or her job description, or at more than normal speed. Everyone takes full breaks, and no one volunteers for extra work.

Employees should not expect NLRA protection if they deliberately reduce their output, refuse assigned duties, stop taking expected shortcuts, or refuse direct orders from management.

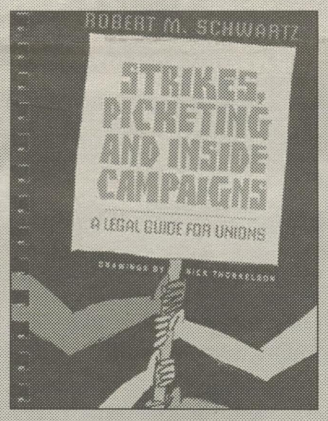
Customer boycott. To support an inside campaign, employees can urge customers or clients to withhold purchases of the employer's products or services. Unions with boycott restrictions in their bargaining agreements must wait for contract expiration.

To ward off charges of disloyalty, handbills and other union literature should refer to the labor dispute and should avoid attacking the quality of the employer's products and services.

Be Effective

Long before your contract expires, you should consider your options and prepare to make your campaign as effective as possible by having strategies in place that can be activated quickly if the employer doesn't comply with demands. Communication, organization, and determination make all the difference in lasting one day longer than the boss, whether the fight is on the picket line or inside the shop.

Robert Schwartz is a labor attorney in Boston. He can be reached at robertm-schwartz@comcast.net



"In this invaluable guide, Bob Schwartz helps to even the scales on the legal front. ...Any union members who fail to consult Schwartz before 'taking on the boss' will not be as ready as they could be."

-Steve Early
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of America (CWA)

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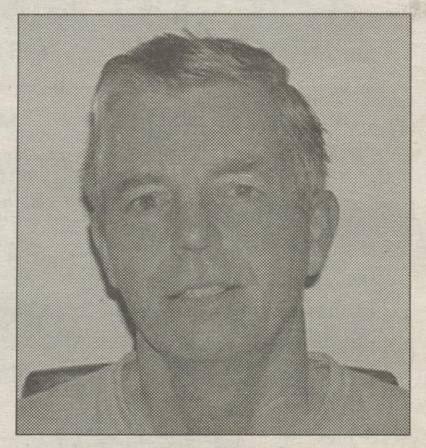

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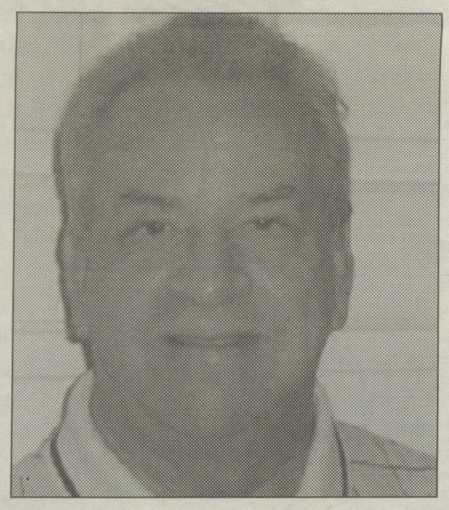
Bob Ream
Local 150, Youngs Market
Sacramento, Calif.



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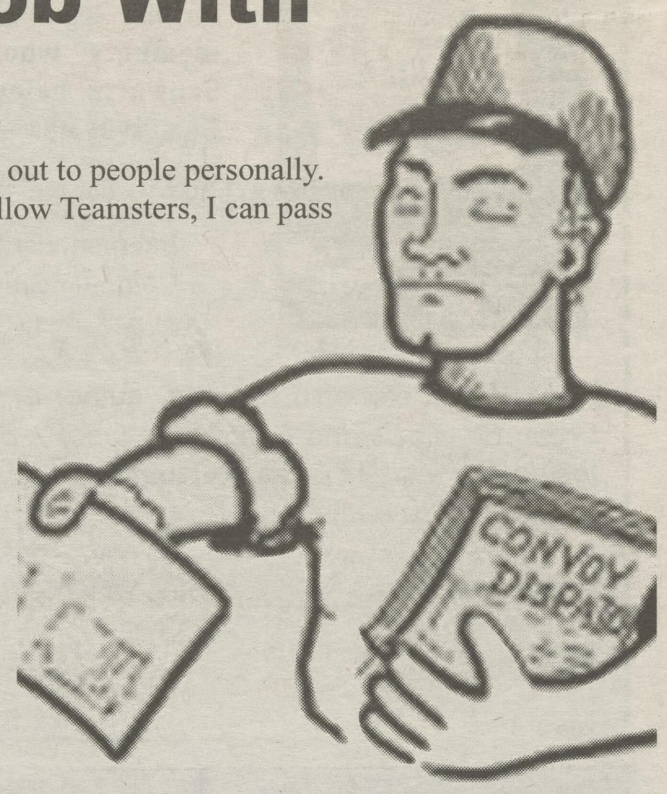

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